

**STATE PERSONNEL BOARD, STATE OF COLORADO**  
Case No. 2001G051

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**ORDER OF THE STATE PERSONNEL BOARD**

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ROBERT W. TERRY,

Complainant,

vs.

DEPARTMENT OF PUBLIC HEALTH & ENVIRONMENT,

Respondent.

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The State Personnel Board (the "Board") met in public session on Tuesday, January 21, 2003. During this public session, the Board considered the record on appeal, including but not limited to:

1. Order of the State Personnel Board (October 23, 2002)
2. Motion for Order Vacating Board's Order of October 23, 2002 and for Reconsideration of Substance of Order Remanding to the ALJ
3. Respondent's Response to Complainant's Motion for Order Vacating Board's Order of October 23, 2002 and for Reconsideration of Substance of Order Remanding to the ALJ
4. Complainant's Reply Supporting his Motion to Vacate the Board's Order of October 23, 2002

The Board voted to deny Complainant's Motion for Order Vacating the Board's Order of October 23, 2002 and for Reconsideration of Substance of Order Remanding to the ALJ. The Board's October 23, 2002 order stated, "The case is to be remanded to the Administrative Law Judge 'for the purpose of allowing complainant and Hobbs and opportunity to present evidence on the issue of attorney fees.'"

This order reflects the affirmative vote of the following Board members: Ms. Garcia, Ms. Salkind, Ms. Siderius, Mr. Zakhem, and Ms. Lottner.

Dated this \_\_\_\_\_ day of  
January, 2003.

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Joyce Lottner  
Board Chair  
State Personnel Board  
1120 Lincoln Street, Suite 1420  
Denver, CO 80203

**CERTIFICATE OF MAILING**

This is to certify that on the \_\_\_\_ day of January, 2003, I placed true copies of the foregoing ORDER OF THE STATE PERSONNEL BOARD in the United States mail, postage prepaid, addressed as follows:

Larry F. Hobbs, P.C.  
7220 West Jefferson Avenue, #115  
Lakewood, CO 80235-2015

and in the interagency mail to:

Hollyce Farrell  
Assistant Attorney General  
Employment Section  
1525 Sherman Street, 5<sup>th</sup> Floor  
Denver, CO 80203

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